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14 Attorneys for Defendants
15 CITY AND COUNTY OF SAN FRANCISCO
16 AND SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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14 CALIFORNIA RESTAURANT
15 ASSOCIATION,

16 Plaintiff,

17 vs.

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THE CITY AND COUNTY OF SAN
FRANCISCO AND THE SAN
FRANCISCO DEPARTMENT OF
PUBLIC HEALTH,

Defendants.

Case No. C08-3247 CW

**STIPULATION EXTENDING
DEFENDANTS' TIME TO RESPOND
TO PLAINTIFF'S COMPLAINT**

(Civil Local Rule 6.1(a))

Honorable Claudia Wilken

STIPULATION EXTENDING DEFENDANTS' TIME
TO RESPOND TO PLAINTIFF'S COMPLAINT
CASE NO. C08-3247 CW

STIPULATION

WHEREAS, on July 3, 2008, Plaintiff California Restaurant Association filed a Complaint and a Motion for Declaratory Relief and a Preliminary Injunction (“Motion”) against the City and County of San Francisco and the San Francisco Department of Public Health (“Defendants”) seeking to enjoin Defendants from enforcing Ordinance 40-08;

WHEREAS, on July 7, 2008, Plaintiff served Defendants with the Summons and Complaint;

WHEREAS, the Parties have stipulated to a briefing schedule for Plaintiff's Motion and anticipate that the Motion will be heard on or around September 4, 2008;

WHEREAS, under Rule 12 of the Federal Rules of Civil Procedure, a responsive pleading must be filed within twenty (20) days after service of the summons and complaint;

WHEREAS, in light of the stipulated briefing schedule for the Motion, the Parties agree that it would be an inefficient use of judicial resources for the City to file a motion to dismiss before the Court has heard and decided Plaintiff's Motion;

WHEREAS, extending the time for Defendants to respond to the Complaint will not alter the date of any event or any deadline already fixed by Court order;

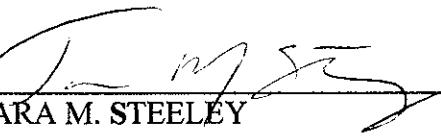
IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff and Defendants that:

Defendants' time to file a responsive pleading under Rule 12 of the Federal Rules of Civil Procedure shall be extended to twenty (20) days after the date of the Court's ruling on Plaintiff's Motion.

1 **SO STIPULATED:**

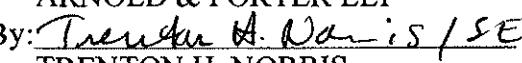
2 Dated: July 11, 2008

3 DENNIS J. HERRERA
4 City Attorney
5 WAYNE SNODGRASS
6 FRANCESCA GESSNER
7 TARA M. STEELEY
8 Deputy City Attorneys

9 By: 
10 TARA M. STEELEY

11 Attorneys for Defendant
12 CITY AND COUNTY OF SAN FRANCISCO

13 Dated: July 11, 2008

14 ARNOLD & PORTER LLP
15 By: 
16 TRENTON H. NORRIS
17 Attorneys for Plaintiff
18 CALIFORNIA RESTAURANT ASSOCIATION